

Application Serial No. 09/827,358 - Filed April 5, 2001

**PATENT**  
**5266-09300**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 09/827,358

Filed: April 5, 2001

Inventor(s):  
Vincent Dureau

Title: GENERIC DATA  
PROCESSING ENGINE

Examiner: Koenig, Andrew Y.  
Group/Art Unit: 2623  
Atty. Dkt. No: 5266-09300

\*\*\*\*CERTIFICATE OF E-FILED TRANSMISSION\*\*\*\*  
I hereby certify that this correspondence is being  
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Patent and Trademark Office on the date shown below

Rory D. Rankin  
Printed Name

/ Rory D. Rankin / November 2, 2007  
Signature Date

**RESPONSE TO OFFICE ACTION OF  
JULY 2, 2007**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is submitted in response to the Office Action of July 2, 2007, to further  
highlight why the application is in condition for allowance.

Please amend the case as listed below.

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**IN THE CLAIMS**

Please amend claims 1, 58, 70, and 71, and add claims 72-73 as indicated below.

1. (Currently Amended) A receiver for processing data, wherein said receiver ~~comprising~~ comprises a generic data processing engine ~~operable~~ configured to: receive a format definition, wherein said format definition comprises a description of a grammar which defines a syntax of a target language, is indicative of a format of additionally received data; configure said engine responsive to receiving the format definition; and receive additional data which conforms to the target language; and process the additionally received data in accordance with the format definition.
2. (Previously Presented) The receiver as recited in claim 1, wherein the receiver is further configured to receive a broadcast including the received data.
3. (Original) The receiver as recited in claim 2, wherein the engine is further configured to receive the format definition from the broadcast.
4. (Previously Presented) The receiver as recited in claim 1, wherein the receiver is further configured to receive a broadcast including the format definition.
5. (Previously Presented) The receiver as recited in claim 1, wherein the receiver is further configured to receive a multicast including the data.
6. (Original) The receiver as recited in claim 5, wherein the engine is further configured to receive the format definition from the multicast.
7. (Original) The receiver as recited in claim 1, wherein the definition includes a description of a syntax of the format.

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8. (Original) The receiver as recited in claim 7, wherein the definition includes a description of semantics of the format.
9. (Previously Presented) The receiver as recited in claim 8, wherein the semantic description associates at least one identifier with the received data.
10. (Original) The receiver as recited in claim 8, wherein the syntax and semantics are described in a first language.
11. (Original) The receiver as recited in claim 10, wherein the engine is further configured to produce an internal representation of the syntax and semantics.
12. (Original) The receiver as recited in claim 11, wherein the engine is further configured to receive a query and use the internal representation to create at least one mask.
13. (Previously Presented) The receiver as recited in claim 12, wherein the semantic description associates at least one identifier with the received data, and the query uses the at least one identifier.
14. (Previously Presented) The receiver as recited in claim 12, wherein the engine further comprises at least one filter operable to apply the at least one mask to filter the received data.
15. (Original) The receiver as recited in claim 14, wherein the engine further comprises a filter characteristics object including information about the at least one filter, and wherein the engine is further configured to use the filter information to select at least one filter to apply the at least one mask.
16. (Original) The receiver as recited in claim 14, wherein the engine is further

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configured to forward at least a portion of the filtered data to an application.

17. (Original) The receiver as recited in claim 14, wherein the engine is further configured to produce an additional mask, based on the filtered data.

18. (Original) The receiver as recited in claim 14, wherein the engine is further configured to modify the at least one mask, based on the filtered data.

19. (Original) The receiver as recited in claim 12, wherein the engine is further configured to receive a second query.

20. (Original) The receiver as recited in claim 19, wherein the engine is further configured to create at least one additional mask, based on the second query.

21. (Original) The receiver as recited in claim 12, wherein the query is formulated using the first language.

22. (Original) The receiver as recited in claim 12, wherein the query is formulated using a second language.

23. (Original) The receiver as recited in claim 12, further comprising a mechanism operable to execute an application that formulates the query.

24. (Original) The receiver as recited in claim 23, wherein the query is discrete.

25. (Original) The receiver as recited in claim 23, wherein the query is continuous.

26. (Original) The receiver as recited in claim 8, wherein the syntax is described in a first language and the semantics are described in a second language.

27. (Original) The receiver as recited in claim 26, wherein the engine is further

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configured to produce an internal representation of the syntax and an internal representation of the semantics.

28. (Previously Presented) The receiver as recited in claim 27, wherein the engine is further configured to receive a query and use the internal representation to create at least one mask.

29. (Previously Presented) The receiver as recited in claim 28, wherein the semantic description associates at least one identifier with the received data, and the query uses the at least one identifier.

30. (Previously Presented) The receiver as recited in claim 28, wherein the engine further comprises at least one filter operable to apply the at least one mask to filter the received data.

31. (Original) The receiver as recited in claim 30, wherein the engine further comprises a filter characteristics object including information about the at least one filter, and wherein the engine is further configured to use the filter information to select at least one filter to apply the at least one mask.

32. (Original) The receiver as recited in claim 30, wherein the engine is further configured to forward at least a portion of the filtered data to an application.

33. (Original) The receiver as recited in claim 30, wherein the engine is further configured to produce an additional mask, based on the filtered data.

34. (Original) The receiver as recited in claim 30, wherein the engine is further configured to modify the at least one mask, based on the filtered data.

35. (Original) The receiver as recited in claim 28, wherein the engine is further configured to receive a second query.

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36. (Original) The receiver as recited in claim 35, wherein the engine is further configured to create at least one additional mask, based on the second query.
37. (Original) The receiver as recited in claim 28, wherein the query is formulated using at least one of the first language and the second language.
38. (Original) The receiver as recited in claim 28, wherein the query is formulated using a third language.
39. (Original) The receiver as recited in claim 28, further comprising a mechanism operable to execute an application that formulates the query.
40. (Original) The receiver as recited in claim 39, wherein the query is discrete.
41. (Original) The receiver as recited in claim 39, wherein the query is continuous.
42. (Original) The receiver as recited in claim 1, wherein the data comprises television-related information.
43. (Original) The receiver as recited in claim 42, wherein the data comprises service information.
- 44 –57. (Cancelled).
58. (Currently Amended) A computer program product for processing formatted data, comprising a computer usable storage medium having machine readable code embodied therein for:

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receiving a format definition, wherein said format definition comprises a description of a grammar which defines a syntax of a target language, is indicative of a format of additionally received data;  
configuring a data processing engine responsive to receiving the format definition; ~~and~~  
receiving additional data which conforms to the target language; and  
processing the additionally received data in accordance with the format definition.

59. (Original) The computer program product as recited in claim 58, wherein the definition includes a syntax definition of the format.

60. (Original) The computer program product as recited in claim 59, wherein the definition includes a semantics definition of the format.

61. (Original) The computer program product as recited in claim 60, further configured to produce an internal representation of the syntax and semantics.

62. (Previously Presented) The computer program product as recited in claim 61, further configured to receive a query and use the internal representation to create at least one mask for filtering the received data.

63. (Original) The computer program product as recited in claim 62, further configured to provide the at least one mask to at least one filter.

64. (Original) The computer program product as recited in claim 62, further configured to store filtered data returned by the at least one filter.

65. (Original) The computer program product as recited in claim 63, further configured to set a mask according to at least a portion of filtered data returned by the at least one filter.

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66. (Original) The computer program product as recited in claim 63, further configured to modify at least one mask according to at least a portion of filtered data returned by the at least one filter.

67. (Original) The computer program product as recited in claim 58, wherein the data includes television-related information.

68. (Previously Presented) The receiver as recited in claim 1, wherein the engine is further operable to receive a query and use said definition to create at least one mask for use in filtering the received data.

69. (Previously Presented) The computer program product as recited in claim 58, further configured to receive a query and use said definition to create at least one mask for use in filtering the received data.

70. (Currently Amended) A receiver for processing data, comprising an engine operable to:

- receive a format definition and process data formatted according to the definition, without requiring formatting information in the data, wherein the definition includes a description of a syntax of the format, and a description of semantics of the format, wherein the syntax and semantics are described in a first language, wherein the definition comprises a description of a grammar which defines a syntax of a target language;
- produce an internal representation of the syntax and semantics;
- receive a query; and
- use the internal representation to create at least one mask.

71. (Currently Amended) A computer program product for processing formatted data, comprising a computer usable storage medium having machine readable code embodied therein for:



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receiving a format definition that comprises a description of a grammar which defines a syntax of a target language; and  
processing data formatted according to the definition, without use of formatting information in the data;  
wherein the definition includes a syntax definition of the format, and a semantics of the format, and wherein the code is operable to:  
produce an internal representation of the syntax and semantics;  
receive a query; and  
use the internal representation to create at least one mask for filtering the data.

72. (New) The receiver as recited in claim 1, wherein the processing engine comprises a format specification interface which includes a syntax initialization engine and a semantics initialization engine.

73. (New) The receiver as recited in claim 72, wherein said syntax initialization engine includes a lexical analyzer and parser.

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**REMARKS**

Claims 1-43 and 58-71 were pending. Claims 1, 58, 70, and 71 have been amended. Claims 72-73 have been added. Support for the new claims may be found in at least paragraph 71. Accordingly, claims 1-43 and 58-73 remain pending subsequent entry of the present amendment.

**35 U.S.C. § 112 Rejections**

Claims 1-43, 68 and 70 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In particular it is suggested that while the preambles of claims 1 and 70 are directed to apparatus, the claim limitations are method steps. In the present Office Action, it is stated the examiner is relying on MPEP 2173.05(p)(II). However, Applicant draws the examiner's attention to MPEP at 2106(IV)(B) wherein it states:

“Note that an apparatus claim with process steps is not classified as a ‘hybrid’ claim; instead, it is simply an apparatus claim including functional limitations. *See, e.g., R.A.C.C. Indus. v. Stun-Tech, Inc., 178 F.3d 1309 (Fed. Cir. 1998) (unpublished).*”

As stated in MPEP 2173.05(g): “A functional limitation is an attempt to define something by what it does, rather than by what it is .... There is nothing inherently wrong with defining some part of an invention in functional terms.”

Accordingly, claims 1-43, 68, and 70 are believed proper and withdrawal of the rejections is requested.

Nevertheless, should the examiner continue to believe the claims do not meet the requirements of 35 U.S.C. § 112, a telephone interview is requested to facilitate a more speedy resolution.

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**35 U.S.C. § 102 and § 103 Rejections**

In the present Office Action claims 1-4, 7, 42, 43, 58, 59 and 67 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,337,715 (hereinafter “Inagaki”). Claims 5-11, 26-27 and 59-61 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Inagaki in view of Program Guide for Digital Television ATSC Standard (hereinafter “ATSC”). Applicant submits each of the pending claims recite features neither disclosed nor suggested by the cited art. Accordingly, Applicant traverses the above rejections and requests reconsideration.

For example, claim 1 recites a receiver which includes a generic data processing engine configured to “receive a format definition, wherein said format definition comprises a description of a grammar which defines a syntax of a target language.” Applicant believes at least the above highlighted features are wholly absent from the cited art. In contrast to the above, Inagaki discloses downloading and executing (decoding) software. Applicant submits such software is not a definition which describes a grammar which defines a syntax of a language as recited in the claim. There is no disclosure or suggestion of such features in Inagaki. For at least these reasons, claim 1 is patently distinct from the cited art. Claims 58, 70, and 71 are distinguishable for similar reasons.

Further, there is nothing to suggest modifying Inagaki to meet the features of the present claims. Inagaki is simply directed to downloading and executing (buffered) software. The concepts of grammar definitions and the like are completely absent from the reference. Further, the cited art (ATSC) merely discloses a description as to how data is to be formatted in order to comply with the ATSC standard. Broadcasters may use the predetermined formats in order to convey data according to the standard. Having knowledge of the ATSC standard does not suggest any such combination or modifications to meet the claims. In contrast, a broadcaster would simply refer to the standard to determine how to broadcast their signals.

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Finally, claim 72 further recites the processing engine comprises a format specification interface which includes a syntax initialization engine and a semantics initialization engine. Claim 73 further recites said syntax initialization engine includes a lexical analyzer and parser. These features are wholly absent from the cited art, taken either singly or in combination.

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**CONCLUSION**

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5266-09300/RDR.

Respectfully submitted,

/ Rory D. Rankin /

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Rory D. Rankin  
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ATTORNEY FOR APPLICANT(S)

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Date: November 2, 2007

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Atty. Dkt. No: 5266-09300  
Application No: 09/827,358  
Filing Date: April 5, 2001  
Inventor(s):  
Vincent Dureau  
Title: GENERIC DATA  
PROCESSING ENGINE  
Examiner Shang, Annan Q.  
Group/Art 2623  
Unit:

\*\*\*CERTIFICATE OF E-FILED TRANSMISSION\*\*\*

I hereby certify that this correspondence is being sent via facsimile to:  
Facsimile No. 571-273-8300, Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450, on the date indicated below:

Rory D. Rankin  
Registered Representative

October 8, 2008  
Date

Signature

**CONFIRMATION OF PRIOR REQUEST FOR CONTINUED EXAMINATION**

Pursuant to the examiner's request, this form is being submitted in furtherance of the previously submitted request for continued examination under 37 C.F.R. § 1.114 of application number 09/827,358, filed on April 5, 2001, which was made on November 2, 2007. The RCE fee was paid on November 2, 2007. The filing receipt for this transaction is attached for your review.

Inventors(s): Vincent Dureau

Examiner: Shang, Annan Q.

Group/Art Unit: 2623

Assignee: OpenTV, Inc.

Recorded at Reel 012047, Frame 0837

Correspondence Address in  
Prior Application:

**Rory D. Rankin**  
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**P.O. BOX 398**  
**Austin, TX 78767**  
**Customer No. 44015**

### **Application Elements**


1. ☒ Filing Fee  
The RCE fee required under 37 C.F.R. § 1.17(e) was paid November 2, 2007.
2. ☐ Information Disclosure Statement (IDS)  
☐ Copies of IDS Citations
3. Amendments  
☒ Copy of Amendment submitted with RCE Request of November 2, 2007 is enclosed.  
☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 C.F.R. § 1.116.  
☐ Please consider the arguments in the response filed on \_\_\_\_\_ under 37 C.F.R. § 1.116.  
☐ Please consider the arguments in the Appeal Brief or Reply Brief filed on \_\_\_\_\_.
4. ☐ Please enter the enclosed affidavits or declarations.
5. ☐ Return Receipt Postcard
6. ☐ Petition under 37 C.F.R. § 1.136 for Extension of Time
7. ☐ Other: \_\_\_\_\_

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If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions.

The Commissioner is hereby authorized to charge any other fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5266-09300.

Signature  
Name  
Registration No.  
Date

  
Rory D. Rankin  
47,884  
October 8, 2008

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Electronic Patent Application Fee Transmittal				
Application Number:		09827358		
Filing Date:		05-Apr-2001		
Title of Invention:		Generic data processing engine		
First Named Inventor/Applicant Name:		Vincent Dureau		
Filer:		Rory D. Rankin		
Attorney Docket Number:		5266-09300		
Filed as Large Entity				
<b>Utility Filing Fees</b>				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 1 month with \$0 paid	1251	1	120	120



Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
Request for continued examination	1801	1	810	810
<b>Total in USD (\$)</b>				<b>930</b>

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Electronic Acknowledgement Receipt	
EFS ID:	2421639
Application Number:	09827358
International Application Number:	
Confirmation Number:	3917
Title of Invention:	Generic data processing engine
First Named Inventor/Applicant Name:	Vincent Dureau
Customer Number:	44015
Filer:	Rory D. Rankin
Filer Authorized By:	
Attorney Docket Number:	5266-09300
Receipt Date:	02-NOV-2007
Filing Date:	05-APR-2001
Time Stamp:	19:32:06
Application Type:	Utility under 35 USC 111(a)

**Payment information:**

Submitted with Payment	yes
Payment was successfully received in RAM	\$930
RAM confirmation Number	9314
Deposit Account	501505
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 and 1.17	

**File Listing:**

OCT 08 2008

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /zip	Pages (If appl.)
1		ROA_of_July_2_2007.pdf	219387 dc2ebc4a0052074d4dc05497e0b31c80c cca12023	yes	13
<b>Multipart Description/PDF files in .zip description</b>					
	<b>Document Description</b>	<b>Start</b>	<b>End</b>		
	Amendment Submitted/Entered with Filing of CPA/RCE	1	1		
	Claims	2	9		
	Applicant Arguments/Remarks Made in an Amendment	10	13		
<b>Warnings:</b>					
<b>Information:</b>					
2	Fee Worksheet (PTO-06)	fee-info.pdf	8283 bc4d22b646c23c1cd0b41ddc077daffc0e cb11628	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>				227670	
<p><b>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111.</u></b> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EQ/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					